

PROB 12C  
(6/96)

# United States District Court

for

WESTERN DISTRICT OF TEXAS

**FILED**

November 30, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY: JG  
DEPUTY

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Lloyd Baxter

Case Number: 1:22-CR-00202(1)-RP

Name of Sentencing Judicial Officer: Honorable Robert Pitman, U.S. District Judge

Date of Original Sentence: September 22, 2023

Original Offense: Possession of an Unregistered Destructive Device, in violation of 26 U.S.C. §§ 5841, 5845(a)(8), 5845(f)(1), 5861(d), and 5871

Original Sentence: 60 months' probation. Special conditions include: remain in custody pending inpatient substance abuse treatment bed placement; inpatient substance abuse treatment; outpatient substance abuse treatment; no controlled substances without a valid prescription; no psychoactive substances; search and a \$100.00 special assessment (\$100 balance)

Type of Supervision: Probation

Date Supervision Commenced: September 22, 2023

Assistant U.S. Attorney: Keith Mason Henneke

Defense Attorney: Samuel E. Bassett & Perry Q. Minton - Retained

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## PREVIOUS COURT ACTION

None.

## PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

**Violation of Special Condition:** The defendant shall participate in an inpatient substance abuse treatment program and follow the rules and regulations of that program. The program may include testing and examination during and after program completion to determine if the defendant has reverted to the use of drugs. The probation officer shall supervise the participation in the program (provider, location, modality, duration, intensity, etc.). During the treatment, the defendant shall

Lloyd Baxter  
Petition for Warrant or Summons for  
Offender Under Supervision  
Page 2

abstain from the use of alcohol and any and all intoxicants. The defendant shall pay the costs of such treatment if financially able.

**Nature of Noncompliance:** On October 19, 2023, the defendant was released from the custody of the United States Marshals Service to the custody of the United States Probation Office. Baxter was read and provided a copy of his conditions of probation. He verbally acknowledged and signed, agreeing to comply. The same date, Baxter entered a Cenikor Foundation inpatient substance abuse treatment center in Deer Park, Texas. The Eastern District of Texas, Galveston Division, began supervising Baxter, as Baxter planned to reside in Angleton, Texas, upon completion of his inpatient treatment. Furthermore, the Cenikor treatment center was within the Eastern District of Texas.

On November 11, 2023, the Eastern District of Texas United States Probation Officer was advised by the Clinical Manager that during the week of November 5, 2023, the defendant was disrespectful and verbally aggressive toward Cenikor staff. The manager advised Baxter was redirected and counseled as to his actions, yet telephone staffing was scheduled for November 28, 2023, at which time the clinical manager, Cenikor staff, and the United States Probation Officer would discuss Baxter's progress in treatment.

On November 20, 2023, the Clinical Manager emailed the United States Probation Officer to advise of another incident involving the offender, of which needed to be discussed during the planned staffing. Email correspondence revealed the defendant was observed on center security cameras touching or slapping the buttocks of a female peer. The offender denied his actions and indicated that the female had backed into him/his hand.

On November 21, 2023, Baxter was observed by center staff to be in a heated confrontation with a male peer.

On November 23, 2023, Baxter was verbally counseled and redirected after it was brought to the attention of center staff that he had taken arts and crafts items from a center gathering and placed them in random places around the facility.

On November 24, 2023, center staff again counseled and redirected Baxter regarding his behavior. While leaving the center's office, Baxter was overheard verbally accosting center staff and a male peer as well as verbally threatening the male peer. Therefore, on the same date, Baxter was unsuccessfully discharged from Cenikor due to his continued noncompliance with center policies and regulations. The discharge summary from the center indicates that the offender threatened others, touched a female peer, and was disrespectful to staff and peers. The summary notes that staff of all levels attempted to redirect Baxter, to no avail.

On November 28, 2023, Baxter reported as instructed to the United States Probation Office in Galveston, Texas. He provided a urine sample which was presumptively negative for all narcotics. Final sample results remain pending from the United States Pretrial Services Laboratory. During

Lloyd Baxter  
Petition for Warrant or Summons for  
Offender Under Supervision  
Page 3

contact with his assigned officer, the offender minimized his actions while at Cenikor and spoke of center staff in an inappropriate manner.

**U. S. Probation Officer Recommendation:** Baxter has violated the conditions of his supervision as evidenced by his unsuccessful discharge from inpatient substance abuse treatment services. It is apparent that Baxter is not presently a candidate for continued supervision. Therefore, it is respectfully recommended a warrant be issued and his supervision be revoked.

Approved by,



Cinnamon Ornelas  
Supervising U.S. Probation Officer

Respectfully submitted,



Heather M. Durand  
U.S. Probation Officer  
Date: November 29, 2023

Received by,

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Keith Mason Henneke  
Assistant U.S. Attorney

X recommend

Justification: \_\_\_\_\_

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**THE COURT ORDERS:**

☐ No Action

☒ The Issuance of a Warrant

☐ The Issuance of a Summons

☐ Other



Honorable Robert Pitman  
U.S. District Judge

11/30/2023

\_\_\_\_\_  
Date